

REMARKS

According to the Restriction Requirement, election of one of the following inventions is required under 35 U.S.C. §121:

- I. Claims 1-6 drawn to a transition metal compound.
- II. Claim 7, drawn to a catalyst composition.
- III. Claims 8, 10-18 and 21-26, drawn to a polymerization process.
- IV. Claim 9 drawn to a ring-opening polyaddition process.
- V. Claims 19-20, drawn to a polymerization process using two transition metal catalysts.

Applicants elect Group III, with traverse. Applicants respectfully traverse the Restriction Requirement with regards to Groups I and II. Under 35 U.S.C. § 121 an application may properly be required to be restricted to one of two or more claimed inventions only if they are able to support separate patents and are independent and distinct inventions. See MPEP 803. Applicants respectfully submit that if the search and examination of the entire application can be made ***without serious burden***, the Examiner must examine the application on its merits, even though it includes claims to independent and distinct inventions. See MPEP 803.

The pending claims are directed to a novel transition metal compound and processes employing such compound. Applicants respectfully submit that a single search encompassing Groups I - IV and directed to the claimed compound could be performed. Also, Applicants submit that any additional search would not entail any "serious burden" on the Examiner as the catalyst is an essential element to all the Groups. Accordingly, Applicants request withdrawal of the Restriction Requirement from Groups I - IV.

Respectfully submitted,

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